

Fayette County Health Center
100 New Salem Road, Room 167
Uniontown, PA 15401
June 4, 2007

Bureau of Mine Safety

724-439-7469

Mr. Ron Michael
A.L. Lee Corporation
P.O. Box 99
Lester, WV 25865

Re: Request for approval of alternate test procedure for carbon monoxide (CO) sampling requested for the Cummins 4B3.3 NA diesel engine powering the Model 255-4 WD Personnel Carrier

Dear Mr. Michael:

Article II-A of the Pennsylvania Bituminous Coal Mine Act (Act) establishes the standards and procedures for using diesel-powered equipment in Pennsylvania's underground bituminous coal mines. Section 224-A of the Act establishes the Technical Advisory Committee on Diesel-Powered Equipment (TAC) whose duties include reviewing requests to use alternative technologies or methods to comply with the requirements of the Act. Any alternative technology or methods recommended by the advisory committee and approved by the Secretary shall not reduce or compromise the level of health and safety protection afforded by Article II-A.

On-site tests showed that the alternate test procedure is not required. Tests conducted on May 2 by the Technical Advisory Committee show that the personnel carrier, when installed with a diverter, adequately cools the transmission allowing completion of the 5-minute test as required under Section 217-A and 218-A of the Act.

Based on the information provided and the TAC recommendation for denial, the Secretary does not approve your request for a 90-second alternate test procedure for the Cummins 4B3.3NA diesel engine in the Model 255-4 WD personnel carrier. Please ensure that the procedure to use the diverter is incorporated in your Operations Manual for this equipment and that the mine operator is trained in using the diverter when conducting required emission tests.

Should you have any questions concerning this, please contact me at the above number or e-mail me at jsbaffoni@state.pa.us.

Sincerely,

Joseph A. Sbaffoni
Director
Bureau of Mine Safety

cc: G. Ellis, PCA
P. Borchick, TAC
R. Bowersox, TAC

bcc: A. Martin
M. McCaffrey
D. Walker
P. Keruskin
R. Ceschini
S. Strange
J. Kuzio
W. Bookshar
S. Gaida
Gaida/TAC File

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